| NO. 26546                                       | 200        |
|---|------------|
| IN THE SUPREME COURT OF THE STATE OF HAWAI'I    | 2005 DEC - |
| STATE OF HAWAI'I, Respondent/Plaintiff-Appellee | 5          |
| vs.   | 9: 32      |
| JASON KIM, Petitioner/Defendant-Appellant       |            |

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 03-1-0092)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI Acoba, J., for the court<sup>1</sup>)

The Application for Writ of Certiorari filed on November 25, 2005 by Petitioner/Defendant-Appellant Jason Kim is hereby denied.

Honolulu, Hawai'i, December 5, 2005.

FOR THE COURT:

Associate Justice

Deborah L. Kim, Deputy Public Defender, on the writ.

Considered by Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.